

UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	REQUEST DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/770,289	9/24/03	ATSUSHI SHIOTA, ET AL.	202450US0

Title: **PROCESS FOR PRODUCING SILICA-BASED FILM,
SILICA-BASED FILM INSULATING FILM, AND SEMI-
CONDUCTOR DEVICE**

Art Unit	Paper Number

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PATENT & TRADEMARK OFFICE
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MAR 25 2004

LICENSING & REVIEW

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Grant Date: 25-Mar-04

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the date(s) and the country(s) indicated
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Approved


for Commissioner of Patents and Trademark

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LICENSE FOR FOREIGN FILING

[Title 35, United States Code (1952) Sections 184, 185, 186]



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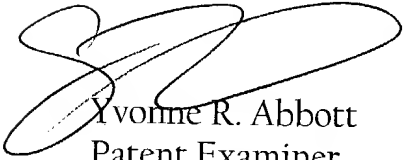
In re: SHIOTA et al. :DECISION ON REQUEST
Petition No.: 09/770,289 :UNDER 37 CFR 5.25
Petition Filing Date: September 24, 2003

Title: PROCESS FOR PRODUCING SILICA-BASED FILM, SILICA-BASED FILM, INSULATING FILM, AND SEMICONDUCTOR DEVICE

This is a decision on the petition for retroactive foreign filing license.

It has been determined that a retroactive license for foreign filing under 35 U.S.C. 184 be granted with respect to the filing(s) listed below. The petition complies with 37 C.F.R. 5.25 in that there is an adequate showing that the subject matter in question was not under secrecy order, that the license was diligently sought, and that the material was filed abroad without the required license under 37 C.F.R. 5.11 through error and without deceptive intent.

<u>Country</u>	<u>Date</u>
Japan	7/1/1999
Japan	2/1/2000


Yvonne R. Abbott
Patent Examiner
Licensing & Review
(703) 308-2866



DOCKET NO: 202450US

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
ATSUSHI SHIOTA ET AL. : **ATTENTION**
 : **LICENSING & REVIEW**
SERIAL NO: 09/770,289 : EXAMINER: FEELY, M.
FILED: JANUARY 29, 2001 : GROUP ART UNIT: 1712
FOR: PROCESS FOR PRODUCING
SILICA-BASED FILM, SILICA-BASED
FILM, INSULATING FILM, AND
SEMICONDUCTOR DEVICE

RECEIVED
SEP 24 2003
LICENSING & REVIEW

PETITION FOR RETROACTIVE

LICENSE FOR FOREIGN FILING UNDER 35 U.S.C. 184

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

Applicants respectfully petition the Patent Office under 37 C.F.R. 5.25 to grant a retroactive license under 35 U.S.C. 184 permitting Applicants to file in Japan Application No. JP 1999-188165 ("JP-165"), filed July 1, 1999, and Application No. JP 2000-23559 ("JP-559"), filed February 1, 2000.


As indicated in the attached Declaration by Atsushi Shiota, (i) the subject matter in JP-165 and JP-559 was not under a secrecy order at the time it was filed in Japan and is not currently under a secrecy order; (ii) the requested retroactive license has been diligently sought after discovery of the proscribed foreign filing; and (iii) the material was filed in Japan through error and without deceptive intent without the required license under 37 C.F.R. 5.11 first having been obtained.

A license under 35 U.S.C. 184 permitting the above-identified application to be filed
in foreign countries was granted on May 1, 2001, as indicated in the attached Filing Receipt.

The required fee set forth in 37 CFR 1.17(h) of \$130.00 is attached.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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Attachments:

Declaration by Atsushi Shiota
Filing Receipt

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